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8 Attorney for Plaintiff
 9 IO GROUP, INC.

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12	IO GROUP, INC. v. VEOH NETWORKS, a California corporation)	CASE NO. C-06-3926 (HRL)
13)	
14	IO GROUP, INC. v. DATA CONVERSIONS, INC. , a South Carolina corporation d/b/a AEBN and pornotube.com)	CASE NO. C-06-5162 (HRL)
15)	
16	IO GROUP, INC. v. WEBNOVAS TECHNOLOGIES, INC., a Canadian business entity type unknown, and GONETMARKET, INC., a Nevada Corporation)	CASE NO. C-06-5334 (JSW)
17)	PLAINTIFF IO GROUP, INC.'S NOTICE
18)	OF RELATED CASES (MOTION FOR
19)	ADMINISTRATIVE RELIEF)
20)	

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 22 Pursuant to Local Rules 3-12 and 7-11, Plaintiff Io Group, Inc. hereby submits this Notice
 23 of Related Case and requests assignment of the above captioned cases to Magistrate Judge Howard
 24 R. Lloyd in the San Jose Division.
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26 1. On June 23, 2006, Io Group, Inc. filed in the United States District Court for the
 27 Northern District of California a civil complaint against Veoh Networks, Inc. The Clerk assigned
 28

1 the case to Magistrate Judge Howard R. Lloyd in the San Jose Division attaching the docket
2 number C-06-3926 (HRL). Declaration of Gill Sperlein at ¶2.

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4 2. On August 23, 2006, Io Group, Inc. filed in the United States District Court for the
5 Northern District of California a civil complaint against DATA CONVERSIONS, INC. , a South
6 Carolina corporation d/b/a AEBN and pornotube.com. The Clerk assigned the case to Magistrate
7 Judge Howard R. Lloyd in the San Jose Division attaching the docket number C-06-5162 (HRL).
8 *Id.* at ¶3.

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10 3. On August 30, 2006, Io Group, Inc. filed in the United States District Court for the
11 Northern District of California a civil complaint against WEBNOVAS TECHNOLOGIES, INC., a
12 Canadian business entity type unknown, and GONETMARKET, INC., a Nevada Corporation.
13 The Clerk assigned the case to the Honorable Jeffery S. White in the San Francisco Division
14 attaching the docket number C-06-5334 (JSW). *Id.* at ¶4.

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16 4. The above referenced cases are related in the following manner: a) The cases have
17 substantially the same parties in that the Plaintiff in all three cases is identical, namely Io Group,
18 Inc.; and b) The matters pertain to identical property rights, namely the catalog of films produced
19 and owned by plaintiff Io Group, Inc. *Id.* at ¶5.

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21 5. These three cases all deal with a similar and unique legal question, whether a
22 website that displays video content contributed by others without authorization from the copyright
23 owner can be held liable for copyright infringement. The websites at issue in each of the three
24 matters operate in a substantially similar manner. Because the three cases are likely to be
25 determined through resolution of this overriding legal question, hearing the cases before different
26 judges could produce conflicting results. *Id.* at ¶6.

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1 6. Moreover, if the cases are conducted before different judges there is likely to be an
2 unduly burdensome duplication of labor and expense. In addition to labor involved in resolving
3 the identical legal issues, much of the development of the factual record would also be duplicative.
4 Specifically, establishing ownership and registration of the infringed content and required expert
5 testimony regarding technology would be duplicative in the three cases. *Id.* at ¶7.
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7 7. Because the claims in the above-referenced cases involve similar parties, property
8 rights and overlapping facts and issues of law, Plaintiff Io Group, Inc. contends that assignment of
9 the three matters to Magistrate Judge Lloyd in the San Jose Division will likely conserve judicial
10 resources and promote efficient determination of the actions. *Id.* at ¶8.
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12 8. In accordance with Civil Local Rule 7-11(a) plaintiff has concurrently filed the
13 declaration of Gill Sperlein explaining that a stipulation could not be obtained regarding this
14 Motion for Administrative Relief because: a) parties are not authorized to relate cases via
15 stipulation and b) because most defendants have yet to appear. *Id.* at ¶9.
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18 Dated: *September 11, 2006*

Respectfully submitted,

/s/ Gill Sperlein

GILL SPERLEIN,
Attorney for Plaintiff

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